

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lundgren et al.
Patent No : 6,660,279
Issue Date : December 9, 2003
Serial No. : ~~10/347,046~~ 10/687,540
Filing or 371(c) Date : January 17, 2003
For : IMPROVED STABILITY FOR INJECTION SOLUTIONS
Examiner : C. Azpuru
Group Art Unit : 1615

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John M. Genova

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Signature
Date of Signature

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Box 1450
Alexandria, VA 22313-1450

Attn: Examiner Carlos A. Azpuru
Facsimile: 1-703-872-9306
Pages: 3 pages total

LETTER

Sir:

The accompanying Terminal Disclaimer is submitted in substitution for and replaces the Terminal Disclaimer filed July 1, 2003 in the referenced case. The only substantive difference between the previously submitted and substitute Terminal Disclaimer is the identification of the registered patent practitioner signing the paper. Entry of the substitute Terminal Disclaimer is respectfully requested.

Dated: July 5, 2005

Respectfully submitted,



Client No. 007470
White & Case, LLP

John M. Genova
Reg. No. 32,224
Attorney Direct Dial (212) 819-8832

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TERMINAL DISCLAIMER

Sir:

AstraZeneca AB, a corporation created and existing under the laws of Sweden, and having a business address at S-151 85 Södertälje, Sweden, hereby through its undersigned agent, who is empowered to act on behalf of AstraZeneca AB, represents that AstraZeneca AB is the owner of the entire right, title and interest of the above-identified patent application Serial No. 10/347,046, by Assignment recorded on November 3, 1999 at Reel 012364, Frame 0456, and a Change of Name recorded on March 22, 2001 at Reel 01160, Frame 0081.

AstraZeneca AB, by its undersigned agent, states that all evidentiary documents have been reviewed and certifies that, to the best of its knowledge and belief, title to Application Serial No. 10/347,046 and US 6,576,245 is in AstraZeneca AB. The inventions claimed in Application Serial No. 10/347,046 and US 6,576,245 were commonly owned by AstraZeneca AB at the time the later invention was made.

AstraZeneca AB hereby disclaims, except as provided below, the terminal portion of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of US 6,576,245 as presently shortened by any terminal disclaimer. AstraZeneca AB hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period it and US 6,576,245 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of US 6,576,245, as presently shortened by terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Authorization is hereby given to charge Deposit Account No. 23-1703 to cover the Terminal Disclaimer fee under 37 C.F.R. §1.20(d) and any other fee that may be required in connection with this communication.

Dated: July 1, 2003

Respectfully submitted,



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White & Case, LLP